

**JUDGE MARRERO**

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**05 CV 2814**

United States District Court  
 Southern District of New York

Moran,

Plaintiff,

- against -

Women's Housing and Economic  
 Development Corporation,

Defendant.

Index No. \_\_\_\_\_



**COMPLAINT**

Plaintiff, complaining of the Defendant by her attorney, David Abrams, Attorney at Law, respectfully sets forth and alleges as follows:

**I. Introduction**

1. This is an action for for unpaid overtime under the Fair Labor Standards Act and New York Wage & Hour Regulations.

**II. Parties**

2. Plaintiff Moran ("Ms. Moran") is a natural person.

3. Upon information and belief, Defendant Women's Housing and Economic Development Corporation., (the "Employer") is a not-for-profit corporation.

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 U.S. DISTRICT COURT S.D.N.Y.

### **III. Venue and Jurisdiction**

4. Venue in the Southern District of New York is appropriate pursuant to 28 U.S.C. Section 1391(b)(1) in that Defendant resides in New York and maintains a continuous and systematic presence in the Southern District.

5. Subject matter jurisdiction over this action exists pursuant to 28 U.S.C. Sections 1331 and 1367 in claims are made that arise under the laws of the United States, specifically the Fair Labor Standards Act and the remaining claims form part of the same case or controversy.

6. Personal jurisdiction exists in that the defendant resides in the State of New York.

### **IV. Background**

7. Ms. Moran was employed by the Employer for approximately until her job ended in September of 2004.

8. During this time, Ms. Moran was not paid a proper overtime premium for work in excess of 40 hours per week.

### **V. Causes of Action and Demand for Relief**

#### Count I: Violation of the Fair Labor Standards Act

9. The allegations contained in paragraphs 1 through 8 are incorporated as if restated herein.

10. Ms. Moran was an employee of the Employer within the meaning of the Fair Labor Standards Act.

11. Upon information and belief, the Employer was an employer within the meaning of the Fair Labor Standards Act and subject to the same Act.

12. The Employer violated the Fair Labor Standards Act in that it did not properly compensate Ms. Moran for the overtime she worked.

Count II: Violation of New York Wage & Hour Law

13. The allegations contained in paragraphs 1 through 12 are incorporated as if restated herein.

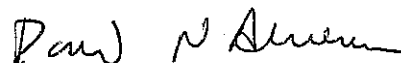
14. Ms. Moran was an employee of the Employer within the meaning of New York Wage Regulations, specifically N.Y.C.R.R. Labor Section 138 et seq.

15. The Employer was an employer within the meaning of those same regulations.

16. The Employer violated the above regulations in that it did not compensate Ms. Moran for the overtime hours she worked.

WHEREFORE Ms. Moran demands judgment against the Employer in the amount of her lost wages, unpaid overtime, together with liquidated and other multiple damages, costs, fees, interest, and such other and further relief that the Court deems just.

Respectfully submitted,



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Dated: March 13, 2005  
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